

ORDINANCE NO. 20070621-023

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "GOODNIGHT RANCH NORTH ANNEXATION AREA", CONSISTING OF APPROXIMATELY 239 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) Notice of the two public hearings concerning annexation of the territory described in Exhibit A was published in a newspaper of general circulation in the City of Austin and in the area to be annexed, and on the City of Austin internet website.
- (B) The public hearings were held on May 17, 2007 and May 24, 2007 at the Austin City Hall, 301 West 2nd Street, Austin, Texas.
- (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings required by state law.
- (D) The annexation, for full purposes, of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
- (E) All procedural requirements imposed by state law for the full purpose annexation of the territory described in Exhibit A have been met.
- (F) The annexation of the territory described in Exhibit A will result in an unincorporated area that is surrounded by the full purpose territory of the city. In accordance with Texas Local Government Code Section 43.057, the Council finds that surrounding that unincorporated area is in the public interest. This unincorporated area is in the process of being annexed into the City.

PART 2. The present boundary limits of the City are amended to include the following territory which is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which is annexed into the City for the full purposes:

Two tracts of land, the tract hereinafter described as Tract One containing approximately 233.392 acres of land out of the Santiago Del Valle Grant in Travis County, Texas; and the tract hereinafter described as Tract Two containing approximately 5.6 acres of land out of the Santiago Del Valle Grant in Travis County, Texas, of which 239 acres of land, more or less, are to be taken into and made a part of the City of Austin, Travis County, Texas; said 239 acres of land, more or less, being more particularly described in Exhibit A.

PART 3. The Service Plan attached as Exhibit B is approved as the Service Plan for the area.

PART 4. The City Council declares that its purpose is to annex to the City of Austin each part of the area described in Exhibit A as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to annex, then that area is excluded and excepted from the area annexed.

PART 5. This ordinance takes effect on July 2, 2007.

PASSED AND APPROVED

<p>_____ June 21 _____, 2007</p>		<p>§ § § _____</p>
		<p>Will Wynn Mayor</p>
<p>APPROVED: _____</p>	<p>_____</p>	<p>ATTEST: _____</p>
<p>David Allan Smith City Attorney</p>		<p>Shirley A. Gentry City Clerk</p>

EXHIBIT A

C7a-07-009

Area to be annexed.

(Approximately 239 acres of land out of the Santiago Del Valle Grant in Travis County, Texas).

(Unplatted land)

(Portion of Nuckols Crossing Road)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO TRACTS OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 233.392 ACRES OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 5.6 ACRES OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH APPROXIMATELY 239 ACRES ARE TO BE TAKEN INTO AND MADE A PART OF THE CITY OF AUSTIN, SAID APPROXIMATELY 239 ACRES OF LAND BEING MADE UP OF TWO TRACTS OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Tract One

Being all of that certain 233.392 acre tract of land situated in the Santiago Del Valle Grant as described by metes and bounds prepared by Robert Watts, R.P.L.S. dated March 12, 2007 attached herein.

Tract Two

Being approximately 5.6 acres of land situated in the Santiago Del Valle Grant, and being that portion of the present right-of-way of Nuckols Crossing Road adjoining a portion of the northwesterly line of the 233.392 acre tract referenced as "Tract One" above, and bounded on the southerly end by a line connecting the northeast corner of

that certain called 1.477 acre tract of land conveyed to Charles C. Spradling and Yvonne F. Spradling, Trustees of the Spradling Revocable Trust in Document No. 2003115738 of the Official Public Records of Travis County, Texas and the southeast corner of that certain called 40.052 acre tract of land conveyed to the City of Austin in Document No. 2000121255 of said Official Public Records, and bounded on the north by the present corporate limit line of the City of Austin as adopted by Ordinance 20070405-008 (Case No. C7a-07-003).

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

LEGAL DESCRIPTION: John E. Moore
04-18-2007

A handwritten signature in black ink, appearing to read 'J. E. Moore', with a large, stylized flourish extending from the bottom right.

APPROVED: John E. Moore, RPLS NO. 4520
Engineering Services Division
Department of Public Works
City of Austin

REFERENCES

TCAD MAP NO's. 3-3901 & 4-3908
Austin Grid's H-12, H-13, J-12 & J-13



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**GOODNIGHT RANCH 233.392 ACRES
BALANCE OF PROPERTY LOCATED
NORTH OF PROPOSED SLAUGHTER LANE**

A DESCRIPTION OF 233.392 ACRES IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF AN 85.600 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A CASH WARRANTY DEED DATED JUNE 30, 2006 AND RECORDED IN DOCUMENT NO. 2006197891 OF THE OFFICIAL PUBLIC RECORDS; BEING A PORTION OF A 175.000 ACRE TRACT OF LAND CONVEYED TO BENCHMARK LAND DEVELOPMENT, INC. IN A SPECIAL WARRANTY DEED EXECUTED MAY 02, 2005 AND RECORDED IN DOCUMENT NO. 2005078857 OF THE OFFICIAL PUBLIC RECORDS; BEING A PORTION OF A 679.66 ACRE TRACT OF LAND CONVEYED TO MVE VENTURE, LTD. IN A SPECIAL WARRANTY DEED DATED MAY 02, 2005 AND RECORDED IN DOCUMENT NO. 2005078856 OF THE OFFICIAL PUBLIC RECORDS; BEING ALL OF A 26.519 ACRE TRACT AND A PORTION OF A 2.495 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A SPECIAL WARRANTY DEED EXECUTED MAY 26, 2006 AND RECORDED IN DOCUMENT NO. 2006099945 OF THE OFFICIAL PUBLIC RECORDS; AND BEING ALL OF A 2.031 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A SPECIAL WARRANTY DEED EXECUTED JANUARY 31, 2006 AND RECORDED IN DOCUMENT NO. 2006022592 OF THE OFFICIAL PUBLIC RECORDS, ALL OF TRAVIS COUNTY, TEXAS; SAID 233.392 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for an angle point in the south right-of-way line of Nuckols Crossing Road (70' right-of-way width), being in the west line of the said 85.600 acre tract, being also the northeast corner of a 1.477 acre tract of land described in Document No. 2003115738 of the Official Public Records of Travis County, Texas;

THENCE with the common line of Nuckols Crossing Road, the said 85.600 acre tract, and the said 679.66 acre tract, the following eight (8) courses:

1. North 27°13'23" East, a distance of 107.04 feet to a 1/2" rebar found;
2. North 36°26'26" East, a distance of 98.94 feet to a 3/4" iron pipe found;
3. North 27°09'55" East, a distance of 1122.38 feet to a 3/4" iron pipe found;

4. Along a curve to the right, a delta angle of $90^{\circ}14'38''$, having a radius of 136.02 feet, an arc length of 214.24 feet, and a chord which bears North $72^{\circ}14'38''$ East, a distance of 192.77 feet to a 3/4" iron pipe found;
5. South $62^{\circ}37'40''$ East, a distance of 734.70 feet to a nail found in a fence post;
6. Along a curve to the left, a delta angle of $16^{\circ}36'07''$, having a radius of 990.40 feet, an arc length of 286.98 feet, and a chord which bears South $70^{\circ}56'14''$ East, a distance of 285.97 feet to a 1/2" rebar found;
7. South $79^{\circ}14'59''$ East, a distance of 1170.39 feet to a 3/4" iron pipe found;
8. South $85^{\circ}18'25''$ East, a distance of 77.47 feet to a 1/2" rebar with "Chaparral 4995" cap set, from which a 1/2" rebar found for an angle point in the south right-of-way line of Nuckols Crossing, being the northeast corner of the said 2.495 acre tract, being the northwest corner of a 15.604 acre tract of land described in Document No. 2006099949 of the Official Public Records of Travis County, Texas, being also the southwest corner of Lot 1, Gentry Estates, a subdivision of record in Volume 75, Page 88 of the Plat Records of Travis County, Texas, bears South $85^{\circ}18'25''$ East, a distance of 101.03 feet;

THENCE South $18^{\circ}27'26''$ East over and across the said 679.66 acre tract, a distance of 27.49 feet to a 1/2" rebar with "Chaparral 4995" cap set in the west line of the said 2.495 acre tract;

THENCE with the west line of the said 2.495 acre tract, along a curve to the left, a delta angle of $06^{\circ}31'08''$, having a radius of 1120.00 feet, an arc length of 127.43 feet, and a chord which bears South $25^{\circ}52'42''$ West, a distance of 127.36 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE over and across the said 2.495 acre tract, along a curve to the left, a delta angle of $05^{\circ}01'24''$, having a radius of 1120.00 feet, an arc length of 98.19 feet, and a chord which bears South $20^{\circ}06'26''$ West, a distance of 98.16 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE with the west line of the said 2.495 acre tract, along a curve to the left, a delta angle of $04^{\circ}16'49''$, having a radius of 1120.00 feet, an arc length of 83.67 feet, and a chord which bears South $15^{\circ}27'20''$ West, a distance of 83.65 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE over and across the said 2.495 acre tract, along a curve to the left, a delta

angle of $02^{\circ}01'52''$, having a radius of 1120.00 feet, an arc length of 39.70 feet, and a chord which bears South $12^{\circ}17'59''$ West, a distance of 39.70 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE with the west line of the said 2.495 acre tract, the following six (6) courses:

1. Along a curve to the left, a delta angle of $07^{\circ}59'39''$, having a radius of 1120.00 feet, an arc length of 156.27 feet, and a chord which bears South $07^{\circ}17'14''$ West, a distance of 156.14 feet to a 1/2" rebar with "Chaparral 4995" cap set;
2. Along a curve to the right, a delta angle of $85^{\circ}19'48''$, having a radius of 25.00 feet, an arc length of 37.23 feet, and a chord which bears South $45^{\circ}57'18''$ West, a distance of 33.89 feet to a 1/2" rebar with "Chaparral 4995" cap set;
3. South $88^{\circ}37'12''$ West, a distance of 3.68 feet to a 1/2" rebar with "Chaparral 4995" cap set;
4. South $01^{\circ}22'48''$ East, a distance of 60.00 feet to a 1/2" rebar with "Chaparral 4995" cap set;
5. Along a curve to the right, a delta angle of $89^{\circ}09'38''$, having a radius of 25.00 feet, an arc length of 38.90 feet, and a chord which bears South $46^{\circ}47'59''$ East, a distance of 35.10 feet to a 1/2" rebar with "Chaparral 4995" cap set;
6. South $02^{\circ}25'24''$ East, a distance of 7.97 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE North $87^{\circ}37'43''$ East over and across the said 2.495 acre tract, a distance of 70.00 feet to a 1/2" rebar with "Chaparral 4995" cap set in the east line of the said 2.495 acre tract, being the west line of the said 15.604 acre tract;

THENCE with the east line of the said 2.495 acre tract and the west line of the said 15.604 acre tract, the following two (2) courses:

1. Along a curve to the left, a delta angle of $19^{\circ}26'06''$, having a radius of 1050.00 feet, an arc length of 356.17 feet, and a chord which bears South $12^{\circ}21'43''$ East, a distance of 354.46 feet to a 1/2" rebar with "Chaparral 4995" cap set;
2. South $22^{\circ}04'46''$ East, a distance of 217.30 feet to a 1/2" rebar with "Chaparral

4995" cap set for the southwest corner of the said 15.604 acre tract, being a northwest corner of the said 26.519 acre tract;

THENCE with the common line of the said 26.519 acre tract and the said 15.604 acre tract, the following three (3) courses:

1. North 89°49'06" East, a distance of 173.88 feet to a 1/2" rebar with "Chaparral 4995" cap set;
2. North 84°49'06" East, a distance of 389.86 feet 1/2" rebar with "Chaparral 4995" cap set;
3. North 00°06'16" East, a distance of 814.03 feet to a 1/2" rebar with "Chaparral 4995" cap set for a northwest corner of the said 26.519 acre tract, being the northeast corner of the said 15.604 acre tract, being also in the south line of Lot 1, of said Gentry Estates;

THENCE South 61°01'04" East with the north line of the said 26.519 acre tract and the south line of Lot 1, of said Gentry Estates, a distance of 484.73 feet to a 3/4" iron pipe found for the southeast corner of Lot 1, of said Gentry Estates, being the southwest corner of a 14.76 acre tract of land described in Document No. 2006060951 of the Official Public Records of Travis County, Texas;

THENCE South 61°02'12" East with the north line of the said 26.519 acre tract, the north line of the said 2.031 acre tract, and the south line of the said 14.76 acre tract, a distance of 549.85 feet to a 1/2" rebar found for the northeast corner of the said 2.031 acre and 26.519 acre tracts, being the southeast corner of the said 14.76 acre tract, being also in the west line of a 236.54 acre tract of land described in Document No. 2003099256 of the Official Public Records of Travis County, Texas;

THENCE South 26°18'36" West with the east line of the said 2.031 acre tract, the east line of the said 26.519 acre tract, the east line of the said 679.66 acre tract, and the west line of the said 236.54 acre tract, a distance of 2775.71 feet to a 1/2" rebar with "Chaparral 4995" cap set, from which a 1/2" iron pipe found in the east line of the said 679.66 acre tract, being the west line of the said 236.54 acre tract, bears South 26°18'36" West, a distance of 580.24 feet;

THENCE over and across the said 679.66 acre tract and the said 175.000 acre tract, the following four (4) courses:

1. Along a curve to the right, a delta angle of 09°33'19", having a radius of

1346.00 feet, an arc length of 224.47 feet, and a chord which bears North 45°13'58" West, a distance of 224.21 feet to a 1/2" rebar with "Chaparral 4995" cap set;

2. North 40°27'19" West, a distance of 766.01 feet to a 1/2" rebar with "Chaparral 4995" cap set;
3. Along a curve to the left, a delta angle of 56°15'18", having a radius of 1470.00 feet, an arc length of 1443.30 feet, and a chord which bears North 68°34'58" West, a distance of 1386.02 feet to a 1/2" rebar with "Chaparral 4995" cap set;
4. South 83°17'23" West, a distance of 423.21 feet to a 1/2" rebar with "Chaparral 4995" cap set for a southeast corner of the said 85.600 acre tract;

THENCE South 83°17'23" West with the south line of the said 85.600 acre tract, a distance of 752.67 feet to a 1/2" rebar with "Chaparral 4995" cap set;

THENCE over and across the said 85.600 acre tract, the following two (2) courses:

1. South 83°17'23" West, a distance of 224.58 feet to a 1/2" rebar with "Chaparral 4995" cap set;
2. Along a curve to the right, a delta angle of 15°22'38", having a radius of 2680.00 feet, an arc length of 719.27 feet, and a chord which bears North 89°01'18" West, a distance of 717.11 feet to a 1/2" rebar with "Chaparral 4995" cap set in the north line of the said 85.600 acre tract;

THENCE over and across the said 175.000 acre tract, along a curve to the right, a delta angle of 01°16'06", having a radius of 2680.00 feet, an arc length of 59.33 feet, and a chord which bears North 80°41'56" West, a distance of 59.33 feet to a 1/2" rebar with "Chaparral 4995" cap set in the west line of the said 175.000 acre tract, being the east line of a 67.95 acre tract of land described in Document No. 2002232017 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found in the west line of the said 85.600 acre tract, being the east line of the said 67.95 acre tract, bears South 26°54'47" West, a distance of 147.68 feet;

THENCE North 26°54'47" East with the west line of the said 175.000 acre tract and the east line of the said 67.95 acre tract, a distance of 1458.21 feet to a 1/2" rebar found for the southeast corner of the said 1.477 acre tract;

THENCE North 26°55'30" East with the west line of the said 175.000 acre tract, the west line of the said 85.600 acre tract, and the east line of the said 1.477 acre tract, a distance of 364.88 feet to the **POINT OF BEGINNING**, containing 233.392 acres of land, more or less.

Surveyed on the ground March 16, 2005. Bearing Basis: Grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 471-001-REM-1.

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

SKETCH TO ACCOMPANY A DESCRIPTION OF 233.392 ACRES IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF AN 85.600 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A CASH WARRANTY DEED DATED JUNE 30, 2006 AND RECORDED IN DOCUMENT NO. 2006197891 OF THE OFFICIAL PUBLIC RECORDS; BEING A PORTION OF A 175.000 ACRE TRACT OF LAND CONVEYED TO BENCHMARK LAND DEVELOPMENT, INC. IN A SPECIAL WARRANTY DEED EXECUTED MAY 02, 2005 AND RECORDED IN DOCUMENT NO. 2005078857 OF THE OFFICIAL PUBLIC RECORDS; BEING A PORTION OF A 679.66 ACRE TRACT OF LAND CONVEYED TO MVE VENTURE, LTD. IN A SPECIAL WARRANTY DEED DATED MAY 02, 2005 AND RECORDED IN DOCUMENT NO. 2005078856 OF THE OFFICIAL PUBLIC RECORDS; BEING ALL OF A 26.519 ACRE TRACT AND A PORTION OF A 2.495 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A SPECIAL WARRANTY DEED EXECUTED MAY 26, 2006 AND RECORDED IN DOCUMENT NO. 2006099945 OF THE OFFICIAL PUBLIC RECORDS; AND BEING ALL OF A 2.031 ACRE TRACT OF LAND CONVEYED TO AUSTIN GOODNIGHT RANCH, L.P. IN A SPECIAL WARRANTY DEED EXECUTED JANUARY 31, 2006 AND RECORDED IN DOCUMENT NO. 2006022592 OF THE OFFICIAL PUBLIC RECORDS, ALL OF TRAVIS COUNTY, TEXAS.

CURVE TABLE							
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING	(RECORD CHORD)
C1	90°14'38"	136.02'	136.60'	214.24'	192.77'	N72°14'38"E	(N75°57'20"E 192.71')
C2	16°36'07"	990.40'	144.50'	286.98'	285.97'	S70°56'14"E	(S67°14'40"E 286.03')
C3	6°31'08"	1120.00'	63.78'	127.43'	127.36'	S25°52'42"W	
C4	5°01'24"	1120.00'	49.13'	98.19'	98.16'	S20°06'26"W	
C5	4°16'49"	1120.00'	41.86'	83.67'	83.65'	S15°27'20"W	
C6	2°01'52"	1120.00'	19.85'	39.70'	39.70'	S12°17'59"W	
C7	7°59'39"	1120.00'	78.26'	156.27'	156.14'	S07°17'14"W	
C8	85°19'48"	25.00'	23.04'	37.23'	33.89'	S45°57'18"W	
C9	89°09'38"	25.00'	24.64'	38.90'	35.10'	S46°47'59"E	
C10	19°26'06"	1050.00'	179.81'	356.17'	354.46'	S12°21'43"E	
C11	9°33'19"	1346.00'	112.50'	224.47'	224.21'	N45°13'58"W	
C12	56°15'18"	1470.00'	785.81'	1443.30'	1386.02'	N68°34'58"W	
C13	15°22'38"	2680.00'	361.81'	719.27'	717.11'	N89°01'18"W	
C14	1°16'06"	2680.00'	29.67'	59.33'	59.33'	N80°41'56"W	

LINE TABLE			
No.	BEARING	LENGTH	(RECORD)
L1	N27°13'23"E	107.04'	(N30°56'10"E 106.89')
L2	N36°26'26"E	98.94'	(N40°12'40"E 99.24')
L3	S85°18'25"E	77.47'	
L4	S18°27'26"E	27.49'	
L5	S88°37'12"W	3.68'	
L6	S01°22'48"E	60.00'	
L7	S02°25'24"E	7.97'	
L8	N87°37'43"E	70.00'	
L9	S22°04'46"E	217.30'	
L10	N89°49'06"E	173.88'	
L11	N84°49'06"E	389.86'	
L12	S61°01'04"E	484.73'	
L13	S61°02'12"E	549.85'	(S57°20'20"E 549.78')
L14	N26°55'30"E	364.88'	(N30°35'40"E 364.76')
L15	S85°18'25"E	101.03'	
L16	N61°01'04"W	638.56'	
L17	S26°54'47"W	147.68'	

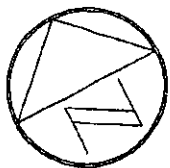
LEGEND	
●	1/2" REBAR FOUND
○	1/2" REBAR WITH "CHAPARRAL 4995" CAP SET
⊙	IRON PIPE FOUND (SIZE NOTED)
▲	NAIL FOUND IN FENCE POST

BEARING BASIS: GRID AZIMUTH FOR TEXAS
CENTRAL ZONE, 1983/93 HARN VALUES
FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 471-001-REM-1.

DATE OF SURVEY: 03/16/05
PLOT DATE: 03/12/07
DRAWING NO.: 471-001-REM-1
PROJECT NO.: 471-001
DRAWN BY: JBE
SHEET 1 OF 3

Chaparral



1" = 400'

NUCKOLS CROSSING ROAD
(70' R.O.W.)

3/4"

S62°37'40"E 734.70'
(S58°56'30"E 734.79')

C2

S79°14'59"E 1170.39'
(S75°32'50"E 1170.29')

679.66 ACRES
MVE VENTURE, LTD.
(2005078856)

NUCKOLS CROSSING ROAD
(70' R.O.W.)

N27°09'55"E 1122.38'
(N30°51'20"E 1122.33')

SANTIAGO DEL
VALLE GRANT

85.600 ACRES
AUSTIN GOODNIGHT
RANCH, L.P.
(2006197891)

175.000 ACRES
BENCHMARK LAND
DEVELOPMENT, INC.
(2005078857)

233.392 ACRES

P.O.B.

1.477 ACRES
SPRADLING
REVOCABLE TRUST
(2003115738)

L1 L2
3/4"

L14

N26°54'47"E 1605.89'
(N30°37'00"E 1605.87')

N26°54'47"E 1458.21'
175.000 ACRES, BENCHMARK LAND DEVELOPMENT, INC.
(2005078857)

67.95 ACRES
THOMSON FAMILY
LIMITED
PARTNERSHIP
(2002232017)

85.600 ACRES
AUSTIN GOODNIGHT
RANCH, L.P.
(2006197891)

679.66 ACRES
MVE VENTURE, LTD.
(2005078856)

S83°17'23"W
423.21'

S83°17'23"W
752.67'

S83°17'23"W
224.58'

PROPOSED
SLAUGHTER LANE
EXTENSION

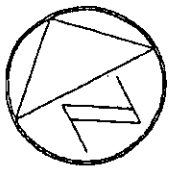
L17

C14

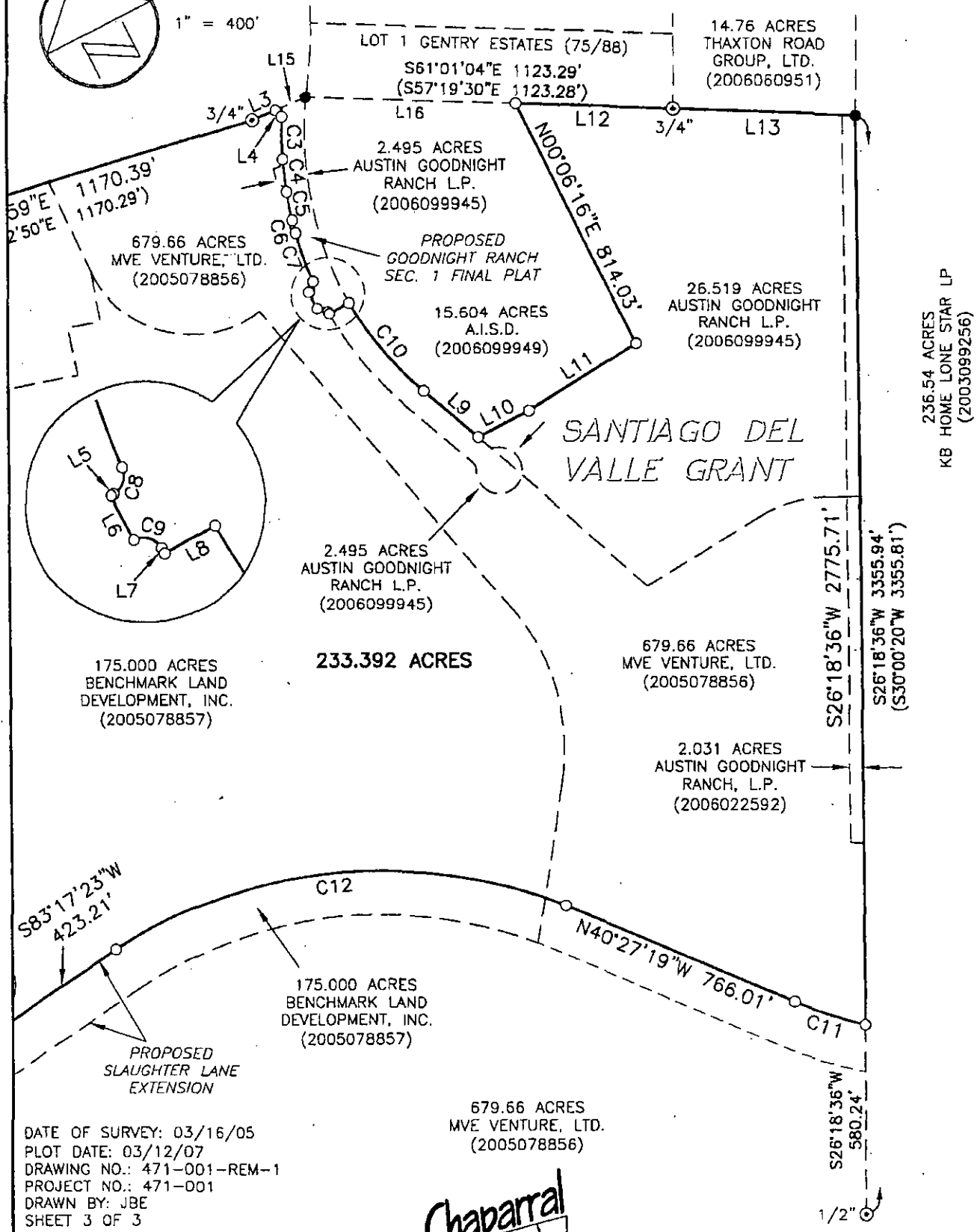
C13

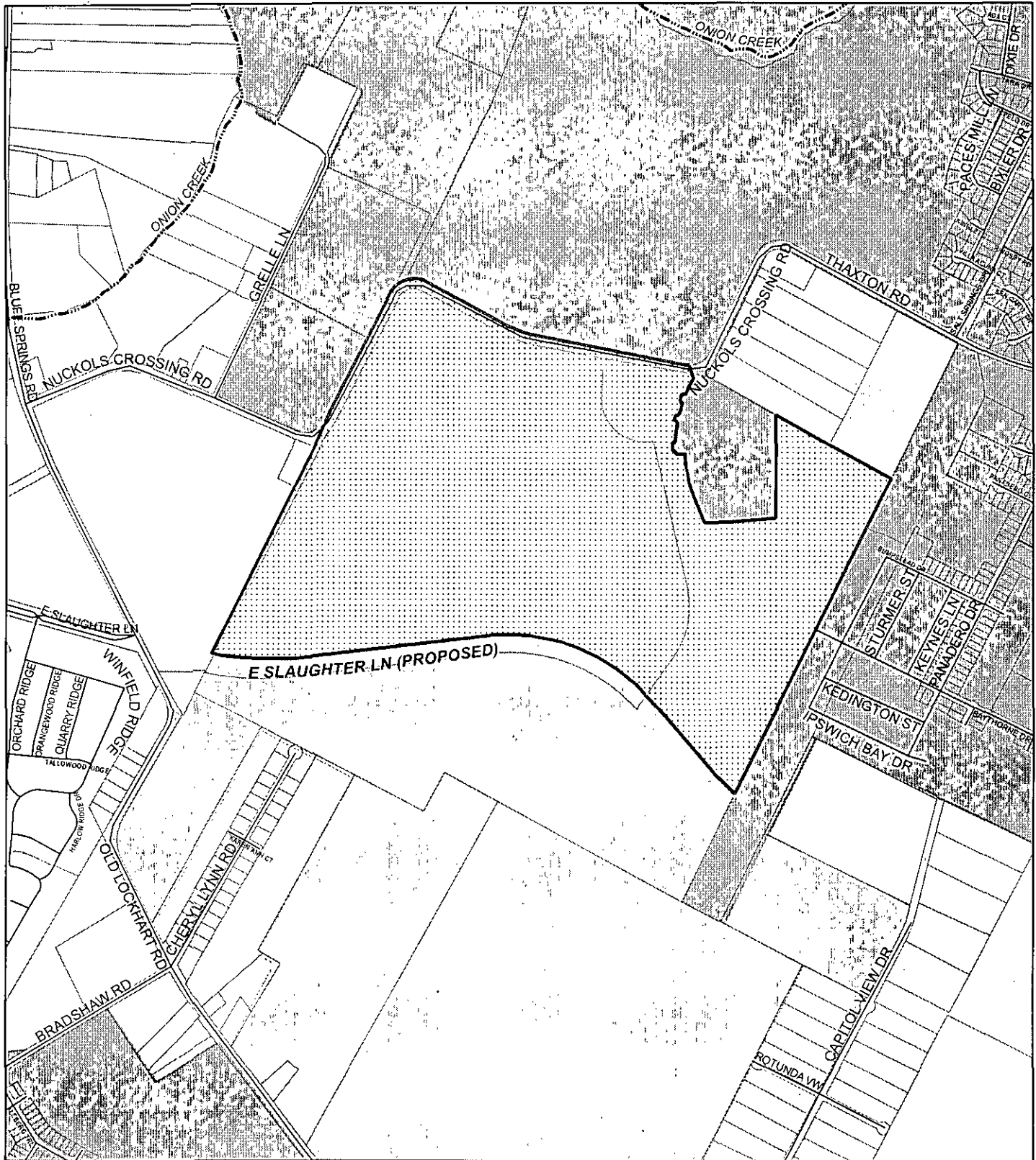
Chaparral

DATE OF SURVEY: 03/16/05
PLOT DATE: 03/12/07
DRAWING NO.: 471-001-REM-1
PROJECT NO.: 471-001
DRAWN BY: JBE
SHEET 2 OF 3



1" = 400'





Goodnight Ranch North Annexation Area



C7a-07-009





City of Austin NPZD
May 4, 2007
J. Chuter







Legend

-  H: proposed annex
-  Parcel Boundary

Jurisdiction

-  Austin Full Purpose
-  Austin Limited Purpose

-  Austin ETJ
-  Other City
-  Other City's ETJ
-  Creek

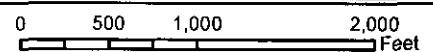


EXHIBIT B



CITY OF AUSTIN ANNEXATION SERVICE PLAN

Case Name: Goodnight Ranch North
Annexation Area
Case Number: C7a-07-009
Date: May 23, 2007

INTRODUCTION

This Service Plan ("Plan") is made by the City of Austin, Texas ("City") pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of a tract of land ("annexation area") known as the Goodnight Ranch North Annexation Area. The annexation area includes approximately 239 acres located in southern Travis County north of the proposed Slaughter Lane extension approximately 680 feet east of the intersection of Slaughter Lane and Old Lockhart Road.

The area currently in the city's limited purpose jurisdiction (annexed 07/04/05) and is adjacent to the current city limits on the north and east sides. The annexation area is described by metes and bounds in Exhibit A, which is attached to the annexation ordinance of which this Plan is a part. The annexation area is also shown on the map in Exhibit A.

EFFECTIVE TERM

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

INTENT

It is the intent of the City of Austin that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

SERVICE COMPONENTS

In General. This Plan includes three service components: (1) the Early Action Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

1. EARLY ACTION PROGRAM

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

- a. Police Protection. The Austin Police Department (“APD”) will provide protection and law enforcement services in the annexation area. These services include:
 - normal patrols and responses;
 - handling of complaints and incident reports; and
 - special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppression, and special weapons and tactics team.
- b. Fire Protection. The Austin Fire Department (“AFD”) will provide emergency and fire prevention services in the annexation area. These services include:
 - Fire suppression and rescue;
 - Emergency medical services first response for Austin Emergency Medical Services Department on life threatening medical emergencies;
 - Hazardous materials mitigation and regulation;
 - Emergency prevention and public education efforts;
 - Dive rescue;
 - Technical rescue;
 - Aircraft/rescue/firefighting;
 - Construction plan review;
 - Inspections; and
 - Rescue/hazardous materials unit.

AFD serves as the first responder on life threatening emergencies for Austin EMS. All AFD personnel are certified at an Emergency Medical Technician (“EMT”) level or higher. All engines (pumpers), ladder trucks, and rescue units carry Automatic External Defibrillators for use with heart attack victims.

- c. Emergency Medical Service The City of Austin/Travis County Emergency Medical Services (“EMS”) Department will provide emergency medical services in the annexation area.

Austin/Travis County EMS will provide the following emergency and safety services to the annexation area:

- Emergency dispatch, pre-arrival First Aid instructions and coordination of other public safety support agencies;
- Emergency paramedic ambulance response; and
- Medical rescue services.

Austin/Travis County EMS is a mobile service provider, with units constantly moving throughout the system area. An ambulance is frequently dispatched from a location outside the station.

The Austin Fire Department will provide emergency medical first response to all patients in a life-threatening situation. All Austin Fire Department personnel are certified at the Emergency Medical Technician (EMT) level or higher and assist EMS personnel providing patient care.

- d. Solid Waste Collection. The Austin Solid Waste Services Department will provide services in the area. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services currently provided in the City for single family residences, including duplex, triplex and fourplex dwelling units, include:

- garbage collection – scheduled cart collection in accordance with City Pay-As-You-Throw guidelines;
- recycling collection – scheduled curbside collection , materials collected include newspaper, magazines, catalogs, junk mail, corrugated cardboard; tin, steel and aluminum cans, glass bottles and jars, plastic bottles (#1 and #2); and
- yard trimmings collection – scheduled residential collection in paper bags or reusable containers.

Commercial garbage collection service for businesses is available on a subscription basis from the City or private service providers.

At this time there are no residential customers in the annexation area.

- e. Maintenance of Water and Wastewater Facilities. Water and wastewater services will be provided through facilities located within or adjacent to the area. The facilities in the area will be maintained and operated by the City's Water and Wastewater Utility as governed by standard policies and procedures, and under the provisions of the attached City service extension policy.

- f. Maintenance of Roads and Streets, Including Street Lighting. The Street and Bridge Division of the Transportation and Public Works Department will maintain public streets over which the City has jurisdiction. These services include:

- Emergency pavement repair;
- Ice and snow monitoring of major thoroughfares;
- Street maintenance. Maintenance activities include crack seal, sealcoat, slurry seal, and PM overlay.
- Repair maintenance of public streets on an as-needed basis. Repair maintenance operations include pothole repair, filling depressions (level up), spot surface

replacement, spot full-depth repair, and utility cut repairs;

As streets in the area are dedicated and accepted for maintenance they will be included in the City's preventative maintenance program. Preventative maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition (distresses), rideability (smoothness), age, traffic volume, functional classification, and available funding.

If necessary, the Transportation Division of the Transportation and Public Works Department will also provide regulatory signage services in the annexation area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs.

Street lighting will be maintained in accordance with state law.

- g. Maintenance of Parks, Playgrounds, and Swimming Pools. At this time there are no public recreation facilities in the area.

Recreational facilities and area amenities, including parks, pools, and medians, that are privately owned, maintained, or operated will be unaffected by the annexation.

- h. Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

2. **ADDITIONAL SERVICES**

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

- a. Watershed Protection and Development Review Department. The City of Austin's Watershed Protection and Development Review Department will provide drainage maintenance services in the Annexation area. Drainage planning and maintenance are fee-based services. Services currently provided by the department, in accordance with and as limited by applicable codes, laws, ordinances and special agreements, include:
- Water Quality Protection: Environmental Impact Assessments; Aquatic Endangered Species Protection; City Compliance with State and Federal Water Quality Regulations; Pollution Detection, Tracking and Forecasting; Stormwater Quality Education; Stormwater Treatment; Water Quality Education; Pollution Prevention and Reduction.
 - Watershed Protection Master Planning for Flood Hazard Mitigation, Streambank Restoration and Erosion Control, and Water Quality Protection.
 - Land Development Review and Inspection: Land Development Review and Assistance; Environmental Inspection.

- Building Development Regulations: Commercial Building Plan Review; Permit Center; Permit Inspections.
 - Flood Hazard Mitigation: Voluntary Floodplain Home Buyout Program; Regional Stormwater Management Evaluation; Creek Flood Hazard Mitigation; Localized Flood Hazard Mitigation; Flood Early Warning System; Floodplain Management.
 - Streambank Restoration and Erosion Management: Streambank Restoration and Erosion Management Services.
 - Infrastructure and Waterway Maintenance: Creek Vegetation Control; Erosion Repair; Open Waterway Maintenance; Pond Inspection and Maintenance; Storm Drain Cleaning; Storm Drain Rehabilitation; Town Lake Cleanup.
- b. Library. Upon annexation residents may utilize all Austin Public Library facilities.
- c. Austin Health and Human Services Department/Travis County Health Department. Upon annexation, the following services will be available from the Department.
- investigation of public health related complaints including foodborne illness, recreational water quality and public swimming pools and spas;
 - enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance;
 - inspection of food establishments, child care facilities;
 - investigation of reported elevated blood lead levels in children;
 - animal services including leash law, pet licensing and rabies control; and
 - rodent and vector control consultation.
- d. Austin Energy. Austin Energy will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.
- e. Anti-litter Services. The Austin Solid Waste Services Department will provide anti-litter services in the annexed area. Anti-litter is a fee-based service. Services currently provided in the City include:
- bulky item collection – twice per year; a notice to customers is provided in advance of the pickup date;
 - large brush collection – twice per year; a notice to customers is provided in advance of the pickup date;
 - street sweeping service – approximately six (6) times per year for streets with curb and gutter;
 - dead animal collection – dead animals are removed from roadways upon request; household hazardous waste drop-off facility – use of facility on regularly scheduled days of operation; and
 - tall weed and grass and litter abatement programs.
- f. Other Services. All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

3. CAPITAL IMPROVEMENTS PROGRAM

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

- a. Police Protection. No capital improvements are necessary at this time to provide Police services.
- b. Fire Protection. No capital improvements are necessary at this time to provide Fire services.
- c. Emergency Medical Service. No capital improvements are necessary at this time to provide EMS services.
- d. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services.
- e. Water and Wastewater Facilities. Water and Wastewater service extension agreements have been approved for this area.

Water and wastewater services to new development and subdivisions will be provided according to the standard policies and procedures of the Water and Wastewater Utility, which may require the developer of a new subdivision to install water and wastewater lines. The extension of water and sewer service will be provided in accordance with the attached water and wastewater service extension policy.

- f. Roads and Streets. No City road or street related capital improvements are necessary at this time. In general, the City will acquire control of all public roads and jurisdiction in, over and under all public roads and public streets within the annexation area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.
- g. Parks, Playgrounds and Swimming Pools. No capital improvements are necessary at this time to provide services.
- h. Watershed Protection and Development Review Department. No capital improvements are necessary at this time to provide services.
- i. Street Lighting. It is anticipated that the developer of new subdivisions in the area will install public street lighting. Street lighting in new and existing subdivisions will be

installed and maintained in accordance with the applicable standard policies and procedures.

- j. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.
- k. Capital Improvements Planning. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services.

AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

FORCE MAJEURE

In case of an emergency, such as Force Majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

SUMMARY OF THE WATER AND WASTEWATER UTILITY SERVICE EXTENSION POLICY

The following information is a summary of the Austin Water Utility Service Extension Policy, Chapters 25-1 through 25-5 and 25-9 of the 2006 Austin Code of Ordinances, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the City system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have City water or wastewater service fronting the property, the owner may make an application for an extension of service to the Director of the Austin Water Utility for review. If the Director

determines that adequate capacity is available, or will be, and if the project does not include City cost participation or reimbursement, and if the proposed facilities are a logical extension of the City's water and wastewater system and the requested extension otherwise meets the requirements of Chapter 25-9, the extension size, capacity, and routing may be approved by the Director for funding and construction by the developer.

Depending on the size of the new facilities and other conditions, with City Council approval, the City may reimburse the developer for part of the cost of constructing certain facilities. With City Council approval, the City may cost participate by reimbursing costs associated with the oversize capacity of wastewater mains larger than 8 inches but less than 18 inches in diameter, and of water mains greater than 12 inches but less than 24 inches in diameter. With City Council approval, the City may reimburse to the developer the construction cost of the full capacity of wastewater facilities 18 inches in diameter or larger, and water facilities 24 inches in diameter or larger, as well as other facilities such as reservoirs or pumps. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in the Land Development Code.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees. However, if the tap is purchased within two years of the completion of the line by the City, the impact fee will be waived.

As long as a property is using a septic system, the property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails before the City sewer service is extended to the property, the property owner must repair the system. Under certain circumstances the Austin/Travis County Health and Human Services Department may require connection to the City sewer facilities.

This policy is set by the City Council and can be amended in the future by ordinance.